

Notice of Allowability

Application No.

10/671,563

Examiner

Khoa D. Huynh

Applicant(s)

BYUN, YOUNG-KWANG

Art Unit

3751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the interview on 06/10/2005.
2. ☒ The allowed claim(s) is/are 3.
3. ☒ The drawings filed on 03 January 2005 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 06132005.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Joseph A Kolasch on 06/10/2005.

The application has been amended as follows:

In the specification,

page 5, line 5: before the recitation "hook threshold 32" insert --stepwise--.

In the abstract,

line 1: delete "The present invention relates a" and substitute --A--,

lines 10-11: after the recitation "case body 10. The" delete "present inventive".

Claims 1 and 2 have been cancelled.

New claim 3 has been added as follow:

3. A cosmetic case 1 having receipt function of toilet set comprising a case body 10 having a receipt part 11 formed on a top portion of the cosmetic case to receive cosmetics 11a and a case cover 20 removably connected to the top portion of the case body 10; a receipt space 12 is formed on a bottom portion and located directly beneath said receipt part 11 of the case body 10 to slidably receive and to carry a toilet set 30, said toilet set having an upper side and an opposite lower side; and the toilet set 30 has a cosmetic applicator head at a first end and a stepwise hook threshold 32 formed at an

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upper portion of said upper side of an opposite second end of the toilet set, said stepwise hook threshold hooked to an inner side 21 of a lower end of the case cover 20 when the case cover 20 is rotated into a closed position with the case body, whereby the toilet set 30 is coupled and secured into the receipt space 12, wherein a pushing threshold 31 is formed on a rear portion of said opposite lower side of the toilet set 30, one end 14b of a spring 14 contacting the pushing threshold 31 to allow the toilet set 30 to be drawn out of the case body by the elastic force of the spring 14 when the case cover is rotated into an open position with said inner side 21 disengaging said stepwise hook threshold.

2. Claim 3 is allowed over the prior art of record.

3. The following is an examiner's statement of reasons for allowance: none of the cited prior art teaches a cosmetic case having, in conjunction with other limitations, the receipt space, the stepwise hook threshold hooked to the inner side of a lower end of the case cover, and the pushing threshold contacting the end of the spring to allow the toilet set to be drawn out of the case body by the elastic force of the spring as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khoa D. Huynh whose telephone number is (571) 272-4888. The examiner can normally be reached on M-F (7:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Justine Yu can be reached on (571) 272-4835. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Khoa D. Huynh
Primary Examiner
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